



ASSISTANT  
DIRECTOR

DEPARTMENT OF THE TREASURY  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
WASHINGTON, DC 20226

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OPEN LETTER TO ALL TEXAS FEDERAL FIREARMS LICENSEES

TEXAS PEACE OFFICER LICENSES  
ARE NO LONGER A VALID ALTERNATIVE TO NICS CHECKS

The purpose of this letter is to advise you of your responsibilities under the permanent provisions of the Brady Law, 18 U.S.C. § 922(t). The permanent provisions of the Brady Law took effect on November 30, 1998. The Brady Law generally requires Federal firearms licensees (FFLs) to initiate a National Instant Criminal Background Check System (NICS) check before transferring a firearm to an unlicensed individual. However, the Brady Law contains a few exceptions to the NICS check requirement, including an exception for holders of certain State permits to possess, carry, or acquire firearms.

In a 1998 open letter, ATF advised you that the concealed weapons permit issued in your State qualified as an alternative to the NICS check required by permanent Brady. The letter also stated that Texas Peace Officer Licenses (**TCLEOSE Cards**) issued prior to November 30, 1998, would be "grandfathered" as a Brady alternative for the duration of the license, not to exceed five years from the date of issuance. However, the letter stated that TCLEOSE Cards issued on or after November 30, 1998 would **NOT** qualify as alternatives to the NICS check.

The State of Texas provides that TCLEOSE cards are valid for five years. Therefore, as of November 30, 2003, all of the "grandfathered" TCLEOSE Cards will have expired and Texas FFLs may no longer accept a TCLEOSE Card as an alternative to a NICS check. However, Texas FFLs may continue to accept valid Texas concealed weapons permits as NICS check alternatives. If you have any questions, please contact your local ATF office.

A handwritten signature in cursive script, reading "John P. Malone", is positioned above the typed name.

John P. Malone  
Assistant Director  
(Firearms, Explosives and Arson)